

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-5614-2023

Date of decision : 20.03.2023

Satish Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.Anurag Chopra, Advocate
for the petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab
for respondent no.1.

VIKAS BAHL, J.(ORAL)

This is a civil writ petition filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially a writ in the nature of mandamus directing the official respondents to comply with the order dated 04.10.2008 (Annexure P-1) passed by this Court in CWP no.2796 of 2007, order dated 04.10.2008 (Annexure P-2) passed in CWP no.4886 of 2003 and consolidated order dated 17.01.2012 passed in COCP no.1299 of 2009.

Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 05.04.2022 (Annexure P-11) and regarding which there, an acknowledgment (Annexure P-12) was given by the authorities to the effect that the authorities are working on the same and it is submitted that till date, no action, in accordance with law, has been taken. Learned counsel for the petitioner has submitted that at this stage, the

petitioner would be satisfied in case respondent no.2-Commissioner, Municipal Corporation is directed to take a final decision on the representation dated 05.04.2022 and also take necessary action therefrom after giving due opportunity of hearing to all the parties concerned including the person against whom the action is required to be taken.

Learned counsel for respondent no.1 has stated that every endeavour would be made by respondent no.2 to decide the representation dated 05.04.2022, in accordance with law.

Keeping in view the above said facts and circumstances, the present writ petition is disposed of with a direction to respondent no.2 to look into and decide the representation dated 05.04.2022 in accordance with law within a period of one month from the date of receipt of the certified copy of the present order. In case, respondent no.2 is of the opinion that any action is required to be taken on the same, then the same be done as expeditiously as possible after granting an opportunity of hearing to the persons against whom the action is proposed to be taken. In case, respondent no.2 is of the opinion that the representation made by the petitioner does not have any merit, then, a speaking order rejecting the representation dated 05.04.2022 be passed within a period of one month from the date of receipt of the certified copy of the present order.

(VIKAS BAHL)
JUDGE

March 20, 2023
Davinder Kumar

Whether speaking / reasoned	Yes/No
Whether reportable	Yes/No